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9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF NEVADA**
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13 SECURITIES AND EXCHANGE
14 COMMISSION,

15 Plaintiff,

16 vs.

17 EDWIN YOSHIHIRO FUJINAGA and
18 MRI INTERNATIONAL, INC.,

19 Defendants,

20 and

21 CSA SERVICE CENTER, LLC
22 THE FACTORING COMPANY,
23 JUNE FUJINAGA, and
24 THE YUNJU TRUST,

25 Relief
26 Defendants.

Case No.: 2:13-cv-01658-JCM-CWH

**ORDER GRANTING MOTION TO
AUTHORIZE AND DIRECT THE
RECEIVER TO RELEASE
SETTLEMENT FUNDS**

27 This case is before the Court on movant Arise Construction, Inc.'s ("Arise")
28 *Notice of Motion and Opportunity to Object and Motion to Authorize and Direct*
the Receiver to Release Settlement Funds (the "Motion") [ECF No. 403]. The
Motion was served via the ECF system on March 20, 2017, and by U.S. Certified

1 Mail, Return Receipt Requested upon Antony Santos, Esq, counsel for an
2 unsecured creditor, and upon the United States Internal Revenue Service by mail
3 dated March 20, 2017. The dates and manner of service are contained in the
4 Certificate of Mailing of the Motion.
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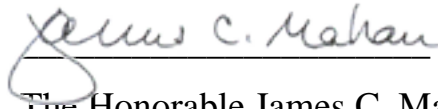
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7 The Motion came on regularly before the Court for determination, the
8 Honorable James C. Mahan, United States District Judge, presiding. Pursuant to
9 LR 7-2, an opposing party must file points and authorities in response to a motion
10 and failure to file a timely response constitutes the party's consent to the granting
11 of the motion. *See* LR 7-2(d); *United States v. Warren*, 601 F..2d 471, 474 (9th Cir.
12 1979). The Court reviewed and considered the Motion, Defendant CSA Service
13 Center, LLC's ("CSA") Response to the Motion [ECF No. 410], and Arise's
14 Reply [ECF No. 411] to CSA's Response. No other Defendant, nor any other
15 party, filed any opposition or objection to the Motion; and the deadline to do so
16 has passed. Nevertheless, the Court reviewed the substantive merits and grants the
17 Motion in full.
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22 IT IS ORDERED THAT:

- 23 1. The Motion, and all relief sought therein, is granted in its entirety;
24 and
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26 2. Robb Evans & Associates LLC, the Receiver in this case, is therefore
27 authorized and directed to release and forthwith pay directly to Jason G. Landess,
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1 Esq., as attorney and agent for movant Arise Construction, Inc. ("Arise"), the sum
2 of One-Hundred-and-Forty-Thousand Dollars (\$140,000.00), representing the
3 settlement funds arising out of Clark County, Nevada District-Court Case No. A-
4 13-691477-C.
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8 IT IS SO ORDERED:

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11 The Honorable James C. Mahan

12 UNITED STATES DISTRICT COURT JUDGE
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14 DATED: April 12, 2017
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